

Patty Baker, Clerk of Superior Court - Cherokee County, GA

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
BLUE RIDGE JUDICIAL CIRCUIT
STATE OF GEORGIA

GRAND JURORS SUMMONED
TO SEPTMEBER TERM, 2020

September 2, 2020

ORDER CONTINUING GRAND JURY

On March 14, 2020, Chief Justice Harold Melton of the Supreme Court of Georgia entered an order declaring a state-wide judicial emergency. Thereafter, the Chief Justice has entered a series of orders extending the state-wide judicial emergency, with certain modifications and guidance. All of these orders have prohibited the appearance of grand jurors and trial jurors during the periods of emergency.

The most recent of these orders is dated August 11, 2020; it will expire on September 10, 2020, at 11:59 p.m.

By statute, the September term of Court is scheduled to begin on September 14, 2020, and the empaneling of a new grand jury would ordinarily take place on said date. O.C.G.A. § 15-6-3(6). State law also requires that grand jurors receive the summons to appear at least twenty-five (25) days prior to the date of appearance. O.C.G.A. § 15-12-65.1.

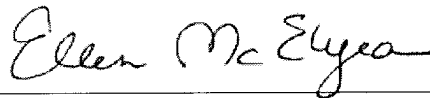
In anticipation of the expiration of the Chief Justice's current emergency order, the Court had notified grand jurors to appear before the Court on September 14, 2020. However, in order to be in strict compliance with the Chief Justice's order, the Court finds that it should not have summoned grand jurors prior to September 10, 2020.

The Court therefore ORDER that no grand jurors shall appear on September 14, 2020. The Court continues the grand jury empaneling to October 12, 2020. The Clerk of Court shall provide

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a copy of this Order to any grand juror notified to appear on September 14, 2020, it being the intention of the Court that this Order serve as a summons according Georgia law.

SO ORDERED, this 2th day of September, 2020.

A handwritten signature in cursive script, reading "Ellen McElyea". The signature is written in dark ink and is positioned above a horizontal line.

Chief Judge Ellen McElyea
Superior Court of Cherokee County
Blue Ridge Judicial Circuit

CC:
Judges of Cherokee Superior Court
Patty Baker, Clerk of Courts
Shannon Wallace, District Attorney
Lynn Epps, Court Administrator
Cherokee County Sheriff's Office